

AMENDMENTS TO THE DRAWINGS

The attached nine (9) drawing sheets include changes to Figs. 1 – 4, 13, 14, and 25 – 27 and replace the drawing sheets originally having the Figs. 1 – 4, 13, 14, and 25 – 27, thereon. In each of Figs. 1 – 4, 13, 14, and 25 – 27, the drawings have been enlarged so that the elements depicted therein are clearly and properly designated.

Attachment: Nine (9) replacement sheets.

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 4 October 2005. Responsive to the objections and rejections made in the Official Action, Claims 1 – 20 have been cancelled by this Amendment and replaced with new claims 21 – 30, which was the easiest method to clarify the language thereof and the combination of elements which form the invention of the subject Patent Application.

In the Official Action, the Examiner objected to the drawings because the indications did not clearly/properly designate corresponding parts in several of the drawings. Accordingly, the drawings of Figs. 1 – 4, 13, 14, and 25 – 27 have been enlarged so that they now clearly and properly provide indications of the corresponding parts.

In the Official Action, the Examiner objected to the Specification because they were replete with errors. Accordingly, the Specification and Abstract have been amended to correct the typographical, idiomatic and translational errors found therein. A clean copy of the Substitute Specification and Abstract are attached to this Amendment in compliance with 37 C.F.R. § 1.125. The Substitute Specification includes the same changes as are indicated in the marked-up copy of the original Specification. It is believed that the subject matter disclosed by the Substitute Specification was previously disclosed in the Specification and Claims,

as filed, and the accompanying drawing figures. No new matter has been added by these changes.

In the Official Action, the Examiner rejected Claim 1 under 35 U.S.C. § 103(a), as being unpatentable over Harris, U.S. Patent No. 5,063,485, in view of Tai, U.S. Patent No. 6,364,501. Claims 2 – 7, 12 – 14 and 20 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Harris and Tai, and further in view of Root, U.S. Patent No. 6,174,072. Still further, Claims 8 – 11 and 15 – 19 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Harris, Tai and Root, and further in view of Yang, U.S. Patent No. 6,918,692.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to an artificial miniature landscape model with three dimensionally colored lighting. The structure includes a pot having a base plate disposed therein and a switch mounted to the pot. The switch has one terminal coupled to a first lead of a source of power. The structure further includes at least one artificial plant structure coupled to the base plate. The artificial plant structure includes a metallic tubular assembly simulative of at least one of a trunk, branches and a stem of the artificial plant structure coupled to the base plate. The metallic tubular assembly is coupled to a second lead of the source of power and has an axially directed through bore. The artificial plant structure includes at least one first

electrical connector coupled to the metallic tubular assembly and an electrical conductor disposed in the through bore of the metallic tubular assembly and having one end connected to a second terminal of the switch and an opposing end connected to the first electrical connector. The artificial plant structure further includes a three dimensional structure simulative of at least one of a flower, leaf, or branch structure formed of a molded light transmissive resin. The three dimensional structure includes a second electrical connector for matingly coupling to the first electrical connector. The coupling of the first and second electrical connectors provides both an electrical connection and mechanical support of the three dimensional structure to the metallic tubular assembly. The three dimensional structure includes at least one multi-color light emitting element encapsulated by the resin and electrically coupled to the second electrical connector.

From another aspect, as defined in new Claim 30, the invention of the subject Patent Application, is directed to an artificial miniature landscape model with three dimensionally colored lighting. The structure includes a pot having a base plate disposed therein, and a switch mounted to the pot. The switch has one terminal coupled to a first lead of a source of power. The artificial miniature landscape model further includes at least one artificial plant structure coupled to the base plate. The artificial plant structure includes a metallic tubular assembly simulative of at least one of a trunk, branches, and a stem of the artificial plant

structure coupled to the base plate. The metallic tubular assembly is coupled to a second lead of the source of power and has an axially directed through bore. The artificial plant structure includes an electrical conductor disposed in the through bore of the metallic tubular assembly and has a first end connected to the second terminal of the switch. The artificial plant structure further includes a three dimensional structure simulative of at least one of a flower, leaf or branch structure formed of a molded light transmissive resin and releasably coupled to the metallic tubular assembly. The three dimensional structure includes at least one multi-color light emitting element encapsulated by the resin and a control circuit encapsulated by the resin and electrically coupled to the at least one multi-color light emitting element and a second end of the electrical conductor.

It is respectfully submitted that the Harris reference is directed to an illuminated artificial floral arrangement wherein an artificial flower 15, formed of silk has petals 17 and a stem 19 which extends down to a styrofoam platform 13 disposed in a flowerpot 11. A low voltage lamp 23 is disposed in a center portion 25 of the flower 15 and coupled to a pair of wires 27 which wrap around an external surface of the stem 19 where they connect with the leads 35 that extend from the low voltage transformer 41 to an inline switch 43. Nowhere does the reference disclose or suggest the stem being formed of a metallic tubular assembly, where the metallic tubular assembly is coupled to a second lead of the source of power and having an axially directed through bore, as now claimed.

Further, nowhere does the reference disclose or suggest at least one first electrical connector coupled to the metallic tubular assembly, and an electrical conductor disposed in the through bore of the metallic tubular assembly and having one end connected to a second terminal of the switch and an opposing end coupled to the first electrical connector as now claimed. Still further, the reference fails to disclose or suggest the flower being formed of a molded light transmissive resin, the three dimensional structure including a second electrical connector for matingly coupling to the first electrical connector, the coupling of the first and second electrical connectors providing both an electrical connection and mechanical support of the three dimensional structure to the metallic tubular assembly, the three dimensional structure including at least one multi-color light emitting element encapsulated by the resin and electrically coupled to the second electrical connector, as now claimed. By that arrangement, the invention of the subject Patent Application provides interchangeable three dimensional structures where the mechanical coupling of the structure and the electrical connection of the lighting are accomplished utilizing an arrangement of connectors to provide both electrical and mechanical coupling. Further, the invention of the subject Patent Application uses the axial through bore of the metallic tubular assembly in which to conceal an electrical conductor utilized to power the light emitting elements, and the metallic tubular structure itself has a second conductor, allowing the tubular assembly to be minimized in diameter and avoiding the unsightliness of

the electrical connectors in the display, as found in the floral arrangement of Harris.

Still further, the Harris reference fails to disclose or suggest an artificial flower including at least one multi-color light emitting element encapsulated by the resin and a control circuit encapsulated by the resin and electrically coupled to the at least one multi-color light emitting element and a second end of the electrical conductor, as now defined in Claim 30. That arrangement, a compact structure is provided wherein a control circuit which controls the changing colors of the light emitting element is incorporated therewith, such that when the three dimensional structure is changed, the lighting effects are changed therewith. Thus, the three dimensional structure having a light emitting element having three color variations may be replaced by one having six variations without any wiring changes being required, since the control circuit is incorporated within the three dimensional structure and only power is supplied thereto.

The Tai reference does not overcome the deficiencies of Harris. The Tai reference is directed to an illuminative vase-type scented ornamental decoration. The ornamental decoration 1 is threadedly coupled to a receptacle 2 which is fastened to the end of a stem 3. The threaded connection between the decoration 1 and the receptacle 2 provides mechanical coupling therebetween, while the light emitting diode 22 which is positioned within the receptacle is not electrically connected by means of the threaded coupling. The light emitting diode 22 is

coupled to a circuit board 23 through a pair of wires and may extend through a through bore of the stem 3. However, nowhere does the reference disclose or suggest connecting the stem to a second lead of the source of power, as now claimed. Further, nowhere does the reference disclose or suggest at least one first electrical connector coupled to the metallic tubular assembly, and the three dimensional structure including a second electrical connector for matingly coupling to the first electrical connector, the coupling of the first and second electrical connectors providing both an electrical connection and mechanical support of the three dimensional structure to the metallic tubular assembly, the three dimensional structure including at least one multi-color light emitting element encapsulated by the resin and electrically coupled to the second electrical connector, as now claimed.

In the embodiment of Fig. 6, the reference discloses both the light emitting diode 22 and the circuit control board 23 being disposed in the receptacle 2. However, such are located within the hollow recess 121 formed in the plug 12 of the fastening section 11. Thus, the reference teaches away from a structure wherein at least one multi-color light emitting element is encapsulated by the resin and a control circuit is encapsulated by the resin and electrically coupled to the at least one multi-color light emitting element and a second end of the electrical conductor, as now claimed.

As neither Harris nor Tai disclose or suggest the concatenation of elements which form the invention of the subject Patent Application, they cannot make obvious that invention.

The Root, Jr., reference does not overcome the deficiencies of Harris combined with Tai. The Root, Jr. reference is directed to an illuminated ornamental apparatus, wherein, like Tai Fig. 6, the light emitting element and control circuit are co-located. In Root, Jr., the light emitting element and control circuit are co-located in the base of the ornamental apparatus and thus fails to disclose or suggest a metallic tubular assembly simulative of at least one of a trunk, branches, and a stem of the artificial plant structure coupled to the base plate, the metallic tubular assembly being coupled to a second lead of the source of power and having an axially directed through bore, and at least one first electrical connector coupled to the metallic tubular assembly, and still further, a three dimensional structure simulative of at least one of a flower, leaf, or branch structure formed of a molded light transmissive resin, the three dimensional structure including a second electrical connector for matingly coupling to the first electrical connector, the coupling of the first and second electrical connectors providing both an electrical connection and mechanical support of the three dimensional structure to the metallic tubular assembly, the three dimensional structure including at least one multi-color light emitting element encapsulated by the resin and electrically coupled to the second electrical connector, as now

claimed. Further, the reference fails to disclose or suggest the three dimensional structure including at least one multi-color light emitting element encapsulating by the resin and a control circuit encapsulated by the resin and electrically coupled to the at least one multi-color light emitting element and a second end of the electrical conductor, as now claimed in Claim 30.

Therefore, as neither Harris, nor Tai, nor Root, Jr. disclose or suggest the combination of elements which form the invention of the subject Patent Application, as now claimed, they cannot make obvious that invention.

For all the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE

A handwritten signature in cursive script, appearing to read "David I. Klein".

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